

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

ARTHUR HOLDEN,
Plaintiff,

v.

BRETT CURTIS, et al.,
Defendants.

Case No. [16-cv-04765-RS](#) (PR)


ORDER OF DISMISSAL

Plaintiff has failed to comply with the Court's order to (1) file a complete application to proceed *in forma pauperis* ("IFP"), or (2) pay the filing fee of \$400.00. His IFP application lacks a prison trust account statement showing transactions for the last six months. Accordingly, the action is DISMISSED without prejudice for failing to respond to the Court's order, and for failure to prosecute, *see* Fed. R. Civ. P. 41(b). Because this dismissal is without prejudice, plaintiff may move to reopen the action. Any such motion must contain (1) a prison trust account statement showing transactions for the last six months, or (2) full payment for the filing fee of \$400.00.

His motion to proceed IFP (Docket No. 5) is DENIED as insufficient. The Clerk shall terminate Docket No. 5, enter judgment in favor of defendants, and close the file.

IT IS SO ORDERED.

Dated: September 27, 2016


RICHARD SEEBORG
United States District Judge